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ABSTRACT

This report analyzes how charter schools handle the education of students with disabilities, with a focus on charter schools in Colorado. It first defines charter schools and notes ambiguities in the legal responsibilities of charter schools and/or their host school districts regarding students with disabilities. The Colorado information is based on a survey of 19 of the state's 24 operating charter schools, reviews of the contracts between 10 charter schools and their sponsoring districts, interviews with key state administrators and charter school advocates, and site visits and interviews in four charter schools representing three school districts. The report provides an analysis of issues concerning: (1) curriculum and instruction; (2) charter schools' fiscal constraints; (3) charter school management; (4) the importance of community and parent involvement; (5) services for students with disabilities; and (6) fiscal and programmatic support for special education. The report raises several concerns about the inclusion of students with disabilities in charter schools. These are: student access to charter schools; funding; and familiarity of charter school personnel with special education law and requirements. The report also raises the question of whether charter schools differ substantially from public schools in their provision of special education services. (Contains 44 references.) (DB)

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Issue Brief

Charter Schools and Students with Disabilities

September 1996

The Center for Policy Research on the Impact of General and Special Education Reform

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Charter Schools and Students with Disabilities

Margaret J. McLaughlin, Kelly Henderson, and Hafeez Ullah
University of Maryland, College Park, MD

September 1996

The Center for Policy Research on the Impact of General and Special Education Reform

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CHARTER SCHOOLS AND STUDENTS WITH DISABILITIES

Charter schools are one of the newest and fastest growing forms of public education. These schools are designed to expand educational choice by offering alternatives to standard public school programs. Currently, 25 states have approved charter school legislation, creating over 200 new schools.

As charter schools have become increasingly widespread, a number of issues relating to them have been studied, including their curriculum, funding, and management. This report focuses on one particularly important issue: special education and the delivery of services to students with disabilities in charter schools.

This report begins by defining charter schools and looking at how charter schools in various states handle the education of students with disabilities. It then concentrates on one state, Colorado, and examines general education issues as well as the trends, problems, and approaches to special education found in the state's charter schools.

The information presented is based on the rapidly growing knowledge base on charter schools. The report includes a list of studies and resources, but keep in mind that this field is in a state of continual change: today's information may become quickly outdated.

What Is A Charter School?

A true charter school is an autonomous public school created and operated under a contract between individual or group organizers (i.e., teachers, parents, or others from the public or private sector) and a sponsor (i.e., local school board, state board, or some other public authority). The contract, or charter, between the individuals and the school's sponsors defines a charter school and specifies the school's educational plan, expected outcomes, assessment procedures, management, and compliance with other requirements (Bierlein & Mulholland, 1995).

Charter schools vary in their degree of autonomy regarding mission, administration, and funding (Bierlein & Mulholland, 1995; Finn, Bierlein & Manno, 1996). In general, a charter school is most autonomous if it is organized as a non-profit corporation or cooperative. Charter schools with the least autonomy include those chartered and governed by local school districts. The majority of states with existing charter school legislation require that a local school board grant the charter, but groups permitted to serve as sponsors vary from state to state and within states. Arizona law, for example, limits sponsorship to a school district governing board, the state board of education or the state charter school board; Michigan allows state public universities and community colleges to authorize charter schools.

A U.S. General Accounting Office study (January 1995) indicated great diversity in charter schools' instructional programs. Some charter schools adopt "innovative" approaches to classroom instruction such as multi-age groupings or thematic units; others emphasize content areas such as the arts or sciences. Some charter schools focus on a specific population, such as at-risk students, the academically talented, special education students, or dropouts. One charter school was created specifically to serve deaf and hearing impaired students.

Charter schools provide teachers, parents, the community, and school administrators flexibility to design schools and determine curriculum. In doing so, they frequently shift the traditional balance of control from professionals to consumers or parents.

Charter Schools and Students with Disabilities

Information about students with disabilities in charter schools is sparse. While charter schools must comply with federal civil and disability rights laws as prescribed in the Individuals with Disabilities Education Act (IDEA), the Vocational Rehabilitation Act, and the Americans with Disabilities Act (ADA), a number of questions regarding students with disabilities in charter schools remain ambiguous. For example, in states where charter schools are considered legally independent agencies, the charter schools are responsible for meeting federal special education requirements. However, where charter schools are not considered legally independent local education agencies, the host school district is assumed to be responsible for insuring the education of students with disabilities. Additionally, the transfer of records, the assumption of student identification and IEP review responsibilities, pupil transportation, and the provision of related services have all been identified as issues in serving students in special education by people involved in charter schools (Colorado Department of Education, 1995; Finn, Bierlein, & Manno, 1996; GAO, 1995; Urahn & Stewart, 1994).

The federal government has not clarified a procedure for ensuring that federal and/or state special education funds follow eligible students with disabilities into charter schools. Individual states have various provisions for how special education services will be funded. Roles and responsibilities among state and local education agencies and charter schools are not well-defined; this can result in ambiguous interpretations of obligations and procedures.

Study Methodology

The study highlighted in this report has focused on Colorado for a number of reasons. First, it is one of 18 states included in the Center for Policy Research's national study of current educational reform initiatives and special education (see box on page 12). Colorado has identified "choice" as one major strand of multiple educational reforms and was the third state to enact charter school legislation. The information on Colorado charter schools presented here is based on four sources: a survey of 19 of the state's 24 operating charter schools, reviews of the contracts between ten charter schools and their sponsoring districts, interviews with key state administrators and charter school advocates, and site visits and interviews in four charter schools representing three local school districts. Additionally, interviews and meetings were held with representatives of one proposed charter school, the Metro School for the Deaf.

Charter School Legislation in Colorado

In 1993 the Colorado state legislature authorized the creation of charter schools as a means of expanding choice options and stimulating innovation in Colorado's public schools. Under Colorado law, a local school district is the entity that has the right to issue a charter. Thus, charter schools in this state are not independent nor separate legal entities, but are partially autonomous schools existing within a school district.

The legislation authorized up to 50 charter schools, to be created prior to July 1997. Schools that target students at risk are given preference. Rejected charter applicants may appeal to the Colorado Board of Education, which can overturn a local district decision. Enrollment is open and free, and charter schools must accept students from districts outside their own; however, preference may be given to "in-district" students if there are limited spaces.

Colorado charter schools are accountable to local standards and assessments as well as to state content standards. As state assessments are developed, charter schools will be accountable for student performance on those as well. All charter proposals must include plans and methods for assessing student performance, and evaluation data must be reported at a minimum at the time of charter renewal. Charters may be awarded for periods of no longer than five years.

The local school district funding contribution to the charter school must be at least 80 percent of the district's per pupil operating revenue (PPOR). However, any amount of local funds contributed to the charter school in excess of the required 80 percent (including additional costs for special education students) is subject to negotiation between the individual charter school and the local school district. At a minimum, the Colorado Charter Schools Act directs that a "propor-

tionate" share of state and federal resources generated by students with disabilities or staff serving them be directed to charter schools enrolling these students by their school districts.

There were 24 charter schools operating as of Spring 1996 in Colorado, 12 of which are clustered in the Denver metropolitan area. The number of proposals that have been submitted and rejected is not known; however, reasons for non-acceptance include insufficient innovativeness and/or duplication of existing local district programs, failure to demonstrate a demand for the program, and insufficient budget or fiscal information.

Based on the multiple sources of information this study gathered in Colorado's charter schools, the following issues emerged:

- curriculum and instruction;
- charter schools' fiscal constraints;
- charter school management;
- the importance of community and parent involvement; and
- services for students with disabilities.

Curriculum and Instruction in Colorado Charter Schools

Choosing and organizing the curriculum and instructional model is a defining characteristic of charter schools. Indeed, the major purpose of the state legislation is to provide opportunities for parents, teachers, and others to define and provide a curriculum and/or innovative approach which differs from that offered by the local public schools. The degree of innovation in the curriculum or instructional approach is a major criterion for approval of a charter in Colorado.

According to survey questionnaires and charter school contracts, Colorado's charter schools offer considerable diversity in curriculum and instructional approaches. Some programs are very structured and academically focused, others offer experiential, student-directed learning opportunities, while others focus on a particular subject matter, such as the arts. A state-level authority on charter schools noted during an interview, "Diversity has been emphasized in the charter school movement. It has a history of right wing to left wing, basic education to progressive education."

The central focus on a core curriculum or instructional model is evident in the four schools that were visited. The directors and teachers are hired because of their expertise and commitment to a particular instructional or curricular model. Site visits confirmed that classrooms, materials, and assessments are all aligned with the chosen approach in these schools. For example, three of these charter schools designed or implemented their own student assessments which were aligned with the specific curriculum. Everyone in the school appeared to be clearly focused on the instructional goals of the school and this clarity was reflected in every classroom.

Two issues that emerged during site visits in relation to curriculum and instruction may pose interesting dilemmas for charter schools. One issue relates to newly adopted state standards. There was some speculation among charter school directors that state standards and the proposed assessments may impose even greater curriculum uniformity across schools and limit charter schools' flexibility to innovate. The director of one charter school, organized around a student-directed model of education in which students have great choice and opportunity in designing their own curriculum, saw the standards as an intrusion. In her view, the standards would force the school to teach all students the same subject matter, which was inconsistent with her school's philosophy and approach. She believes that content and performance standards may prevent her school from offering the alternative to traditional education it now provides. In fact, the director said her board might seek a waiver from the standards (not permitted under state statute). However, the issue of standards was generally not a concern among other more traditional schools that were visited.

Another issue that emerged is the degree to which the curriculum imposes selectivity on enrollment. Charter schools may impose selection criteria, such as having a valid IQ of 130 or better, if the criterion is directly linked to the purpose of the school. For example, the proposed Metro School for the Deaf wants to create a bilingual environment for hearing impaired students and their siblings that uses signed English for

reading and writing and American Sign Language (ASL) for all other nonwritten communication. This school has yet to be granted a charter and it is unclear how selection criteria will be applied. For schools not serving a special population, enrollment is reportedly handled much as in any public school magnet program, on a first-come basis.

Charter schools are, in part, based on the premise that not all the curriculum or instructional approaches used in a given charter school work for all students; there is an assumption that students should "fit" an approach. School directors interviewed referred to individual students who experienced difficulties adjusting to some aspect of the school's approach and described how school officials and parents had made a mutual decision to withdraw the student. Few students reportedly leave under these circumstances; however, more than one charter school representative voiced concern regarding the "influence of the student population on the ability to maintain the focus of the school."

Charter Schools' Fiscal Constraints

Fiscal issues raised by individuals interviewed in the Colorado schools were consistent with those identified in other national studies. That is, there were problems with lack of start-up funds as well as general fiscal management procedures. Some form of start-up funding is required since the schools do not draw the per pupil operating revenue (PPOR) until they are enrolling students. One local district that supports the concept of charter schools advances money to the charter school the summer prior to opening to assist in equipping the building, purchasing supplies, etc. More than one charter school has experienced a deficit and has received assistance from the district.

Facilities represent both a major financial as well as organizational issue for charter schools. One school leased space in a former supermarket in a strip mall, another in an old school building, while another used portable trailers in the middle of an office park under development. Despite the lack of space and even of basic equipment, there was no obvious shortage of instructional materials. In fact, classrooms had many texts and other books as well as a variety of teacher- and student-constructed materials and projects. In several instances, directors indicated that teacher-made materials were required for the unique curriculum.

Problems with Charter School Management

A potential cause of tension between charter schools and the local districts was the amount of assistance many of the schools have required to administer and govern themselves. Charter schools have requested assistance with fiscal planning and accounting, personnel policies, special education, and general oversight and supervision of day-to-day classroom and school operations. District personnel have intervened, sometimes against their own wishes, to help schools that have overspent, to help a school remove a director or staff person, to provide guidance regarding recruitment and personnel policies, and to offer advice on balancing parental involvement and professional autonomy.

Community and Parent Involvement

A general theme emerging from interviews in Colorado charter schools was the importance of a strong sense of community and parent involvement in creating and administering a charter school. Everyone noted the commitment of parents and teachers within a charter school. Because it is not an easy task to apply for a charter, it is essential that the core organizers believe in what they are doing. Some of those interviewed suggested that the process of seeking a charter created solidarity among those parents who initially supported the school. As a result, there is a strong sense of pride and optimism in the school.

The charter schools that were visited all required or expected some type of parental involvement. A frequent requirement was for parents to volunteer a certain number of hours each semester. However, parents and charter school directors noted that a range of parental involvement is tolerated (e.g., sending juice and napkins to one school constituted 2 hours of volunteer service).

Some of the state charter school authorities who were interviewed speculated about how long commitment, involvement, and solidarity will be sustained, particularly among parents. Parents who were active in

Table 1.

Percentage of Students with Disabilities and Special Education Teachers in Colorado Charter Schools

Charter School	Total Students	Students with Disabilities	% of Enrollment	Special Education Teachers*
School A	315	42	13.33	3
School B	500	50	10.00	2
School C	113	2	1.76	0
School D	23	0	0.00	0
School E	350	29	8.28	0(1)
School F	260	5	1.29	0
School G	104	6	5.76	1(1)
School H	367	43	11.71	2
School K	111	5	4.50	0
School N	128	12	9.37	1
School O	120	6	6.66	2
School P	160	8	5.00	1(1)
School Q	90	11	12.22	0(1)
School R	227	11	4.84	1
School S	20	4	20.00	3
School U	353	10	2.83	1
School V	230	10	4.34	3
School W	100	15	15.00	2(2)
School X	175	5	2.85	2
Total	3746	274	7.31	24(6)

*number of full time special education teachers (part time)

creating the school, as well as those with students enrolled in the first class of the school, have invested in the success of the charter school. Some who are familiar with charter schools believe that as a school becomes more established and routine, many parents may once again become peripheral or detached and parental involvement will decrease and return to the norm for the local community.

As is typical with most schools, all charter school directors who were interviewed reported some small group of dissatisfied parents. These were usually described as parents who were seeking to "fix" their child, or people who are "chronically unhappy." Some parents were perceived to view the charter school option as one stop in what often is a long shopping trip for the "right" school. Most of these parents voluntarily withdrew their children from the charter school within a semester.

Services for Students with Disabilities

Special Education Enrollment and Staffing in Charter Schools

Charter schools in Colorado appear to be serving roughly the same proportion of students with disabilities as do schools statewide. According to survey data from 19 of Colorado's 24 charter schools, the proportion of students with disabilities identified under IDEA in the Colorado charter schools is 7.31 percent as compared to the statewide incidence of 9.09 percent (U.S. Department of Education, 1995). However, the percentage of students with disabilities in charter schools ranges from 0 to 15 (see Table 1).

Sixteen of the schools have special educators on staff. In five schools, special education services are provided by the local district using district personnel. In two schools which reported students with disabilities, it was not clear who is providing educational services. Fourteen charter schools hire their own special education staff. Information concerning related and other services was somewhat more ambiguous. In most cases the charter schools purchased related services from the local district, presumably provided by district personnel.

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All but one of the 19 charter schools reported serving students with learning disabilities, speech and language disorders, and emotional and behavior disorders. All of the schools providing special education services indicated that students received both in-class and "pull out" resource services. Additionally, consultation was provided to classroom teachers in 14 of the charter schools. Tables 1 and 2 detail the number of special education staff employed in the charter schools and the format in which services are delivered.

Individualized Instruction and the Lure for Parents of Students with Disabilities

Directors and parents of special education students who were interviewed confirm that the charter schools are providing very focused and individualized attention in classes that, in some cases, are one-half to two-thirds the size of classes in surrounding public schools. These factors were seen as almost as important as the curriculum and instructional focus in making the charter schools attractive to parents of students experiencing school problems.

An issue highlighted by state-level administrators as well as by staff in three of the four charter schools visited is the increasing number of students with "special" educational needs, not necessarily identified as special education, who are enrolling in charter schools. There are, in the words of one director, "a large number" of students whom they believe would qualify for special education.

Charter school administrators attribute the growing number of students needing additional attention to several factors. One charter school director believes that increased individualized attention in the charter schools brings into focus learning problems that may have been overlooked in the regular public schools. Another director spoke of children who were enrolled in her school because they were not making sufficient progress and because the local public school believed that the students would "come along" or that the problems were "just developmental" and that the students would grow out of them. In other cases, parents enrolled students who, in the words of a third director, "were on the verge of being either identified for special education or suspended."

Table 2.

Delivery of Educational Services in Charter Schools

Charter School	Consultation to General Ed. Teacher	Direct Services	Both Consultation and Direct Only Services
School A			x
School B		x	
School C		x	
School D	N.A.	N.A.	N.A.
School E			x
School F		x	
School G		x	
School H			x
School K			x
School N	x		
School O			x
School P			x
School Q			x
School R			x
School S			x
School U			x
School V			x
School W			x
School X			x

Charter school directors and staff are not necessarily referring these students for special education eligibility assessments. They believe they are providing the intensive individualized education the students need and will continue to do so because there is no financial incentive for identification. The more individualized and personal approach to instruction afforded in some charter schools is appealing to students who may have

mild, but unidentifiable learning disabilities as well as to students experiencing problems in the public schools.

Two of the state-level interviewees familiar with charter schools acknowledged that an increasing number of students with behavior and learning difficulties were posing a problem to charter schools. They believed that for many parents, the charter schools were becoming "schools of last resort." Two of the charter school directors also cited problems associated with increasing numbers of students needing more intensive educational interventions.

In response to increased demand by parents of students experiencing learning problems for school admission, one school director asked the local district administrators for permission to apply selective admission criteria to maintain the school's prevalence rate for students with disabilities at the district level. This charter school was organized around a very structured and highly academic curriculum. Currently, the student population reportedly clusters around two ends of the learning continuum: students who are highly able and those with learning difficulties. Staff are concerned about their ability to provide the levels of intensive support needed by an increasing number of students. Despite the director's concern that the parents of the highly able students, who founded the school, may begin to withdraw their children, her request to limit the numbers of students with learning disabilities was denied.

Fiscal and Programmatic Support for Special Education

Adequate Funding

Finding sufficient support for special education concerned all those who were interviewed. For example, an issue that has emerged as a result of the attempt to create the Metro School for the Deaf is how the local portion of excess costs for special education flows to the charter school. Currently, if a local district grants a charter, it assumes responsibility for the students in that school, including their special education needs. Costs associated with providing special education are assumed to be the responsibility of the local district, but this is not entirely clear. The proposed Metro School for the Deaf would enroll students from a number of districts who, by definition, would be in special education. According to interviews, the costs could be disproportionately high for the district granting the charter. An amendment to the state legislation is pending to permit such cross-district funding of special education services.

Methods of Securing Support for Students with Disabilities

The majority of charter schools must directly purchase required special education services. Reviews of school contracts indicate that some negotiated services, including consultation on IEPs and legal representation in due process procedures, may be provided by the local district. However, interviews revealed a somewhat more ambiguous situation with respect to how individual charter schools obtain the requisite special education services.

Two of the LEAs use an approach involving "risk pooling" to fund special education services in charter schools. Each of the charter schools "gives back" to the local district a portion of its PPOR allotment. This amount buys the charter school any and all special education services it may need, including all evaluations for student eligibility and placement in special education as well as direct services. While this approach guarantees protection against a high-cost student, it also means that the charter school does not have control over the recruitment and hiring of individuals who provide services. And, in those years when the charter school has very few students on IEPs, the school may give back substantially more money to guarantee service than the cost of services actually needed.

Special Education Staff Qualifications

Finding qualified persons to provide the necessary special education services can present problems to charter schools. For example, during one site visit, a district administrator was attempting to help a charter school locate a vision specialist to provide services to a newly enrolled student with visual impairments. The administrator indicated that she would first determine if the district vision consultant's case load would permit her to add a student, in which case the charter

school would purchase the time from the district. However, the consultant would also be available to provide the services directly to the charter school on her own time after school. According to interview and survey data, charter schools are purchasing most of the special education services from districts but also use related-services personnel on a fee-for-service basis.

Whose Ultimate Responsibility?

The directors of the charter schools which were visited believe that ultimately the local school district is responsible for providing whatever a special education student requires. While they make a concerted effort to locate staff and pay for services, when asked what they would do if a student with significant needs enrolled or if they had to provide more accessible classrooms, a typical response was, "The local district would have to step in and do it." Some local district administrators who were interviewed agreed with this interpretation of their responsibilities. Others, however, considered this to be an area needing further state clarification. State-level administrators also were less than clear on where the lines of responsibility should be drawn.

Summary

Two major issues impact charter schools' ability and desire to serve students with disabilities: responsibility for service provision and learner characteristics of students enrolled in charter schools. Clarification of responsibility for special education in Colorado's charter schools is needed. For example, individual charter schools may negotiate very different arrangements with their local school districts concerning the provisions of special education and related services. While charter school proponents appear to desire greater clarity, there is also concern about how further regulations could impinge on their autonomy. Nonetheless, it is clear that special education students must be provided with services, and that greater specificity or guidelines regarding locus of responsibility and funding would result in more consistency and specificity across charter schools in areas related to special education.

Clearly, students with high-incidence disabilities are enrolling in charter schools in Colorado. It also appears that some charter schools can offer specific instructional approaches, including more individualization, that are attractive to parents of these students. This study provides some evidence to suggest that charter schools may be providing a viable alternative to students at either end of the learning continuum, from those students who need acceleration to those who need extra support. This should come as no surprise to those who have long accused public schools of teaching to the middle of the student achievement continuum.

Based on the data collected in this study of Colorado's charter schools, several concerns about the inclusion of students with disabilities are highlighted. These are: student access to charter schools; funding; and familiarity with special education law and requirements.

Student Access to Charter Schools

The research raises some cautions about access to charter schools. The central focus on a curricular or instructional approach provides a strong unified educational experience for students. Yet, charter schools are schools of choice. When there is not a good match between student and charter school, the assumption is that the student will leave, not that the school will change. Practically, the risk is that if charter or choice options dominate in a district, there could be a group of students for whom no school is a good match.

In fact, some evidence emerged from our interviews in Colorado to suggest that charter school directors have concerns about certain "types" of students, namely students who present challenging behaviors or significant learning problems. Ironically, while Colorado charter school proponents talk about charter schools as "schools of last resort" for some students, it is the neighborhood public schools that may have to assume this role for students with troublesome behaviors.

Funding Special Education in Charter Schools

Funding the necessary special education and related services can be problematic, since most of the schools must purchase the services from the district, directly hire staff out of their per pupil operating revenue (PPOR) allotment, and/or negotiate alternative arrangements such as having the local district provide some of the services

directly at no cost to the charter school. Responsibility for provision of services is ambiguous: which party, the local education agency or the charter school, must ensure that a specific student is receiving his/her entitled services?

Management of Special Education Procedures

Charter schools need a great deal of support and information about the legal obligations and procedures associated with educating students under both IDEA and Section 504. The schools also need information about special education related services. Furthermore, there is little evidence of any direct supervision of special education staff or service delivery. Yet, guidelines and general information about the legal requirements have not been provided to the early charter schools.

Generally, all of those interviewed genuinely accepted the students with disabilities and appeared willing to meet their educational needs, but other than perhaps providing extra support in reading, there is little understanding of the full array of special education services. This appears to contribute to an undercurrent of resentment by charter school officials about having to purchase special education services about which they know little.

Are Charter Schools Really Different?

Finally, we conclude with the question, "How is any of this different from what goes on in many of the traditional public schools?" Diversity in the provision of special education across schools, misunderstandings about special education funding policies and practices, and difficulties with students with behavior disorders are all evident in today's public schools. None of the curricula or instructional approaches observed in the charter schools were so unique or divergent that they could not be implemented in a local public school.

Two of the four schools visited had actually adopted in their entirety a curriculum and an instructional model that was used by public schools in the local districts. One local administrator even commented that as he watched the charter schools evolve in his district and across the state, "they were becoming more and more like the local public schools." Nonetheless, he considered the schools to be valuable because they removed pressure from the local schools which came from groups of parents who were dissatisfied with the in-school options and wanted a voice in creating their child's education.

The answer to our own question may lie in the very nature of the ability of organizations to be fluid and flexible and to adapt to market demands. Greater consumer responsiveness is a major tenet of current reform initiatives, and local public schools cannot provide educational options that will meet every need or preference. As long as public schools remain hierarchical and dominated by the producers or educators, there will be a desire of some parents to opt out of the system.

Nevertheless, we were left with the impression that the charter schools are providing both the impetus as well as the models for restructuring within a local school system. Greater consumer involvement coupled with new organizational models, such as "schools within schools," can promote many of the educational principles of charter schools within the overall structure of local school districts.

We acknowledge that parental choice and educational innovation and diversity is not the major motivation of all those who support charter schools. However, public schools could move much further toward shifting the balance from producer to consumer and in opening up the organization to provide more options. This flexibility can only bode well for students with diverse learning needs. Within a framework that protects access to the programs, we believe that promoting greater flexibility and more personalized curricular and instructional options will only move us closer to achieving the goal of providing students with disabilities an appropriate education.

CHARTER SCHOOL BIBLIOGRAPHY

General/Nationwide

Association of Supervision and Curriculum Development. (1995, November). Charter schools take hold. *Education Update, 37*(8).

Bierlein, L. & Mulholland, L. (1993). *Charter schools update: Expansion of a viable reform initiative*. Morrison Institute for Public Policy. (ERIC Document Reproduction Service No. ED 362 979).

Bierlein, L.A. & Mulholland, L.A. (1995, April). *Charter school update and observations regarding initial trends and impacts*. Policy brief, Morrison Institute of Public Policy, Arizona State University.

Bierlein, L.A. (July 27, 1995). *Existing charter school laws: Analysis of "stronger" components*. Louisiana Education Policy Research Center, Louisiana State University.

Becker, H.J., Nagagawa, K. & Corwin, R. (1995, April). *Parental involvement contracts in California's charter schools: Strategies for educational improvement or method of exclusion*. Los Alamitos, CA: Southwest Regional Laboratory.

Brown, D.L. (1995, August 21). Plotting a new course for education. *Washington Post*.

Education Commission of the States & Center for School Change (1995, August). *Charter Schools...What are they up to? A 1995 Survey*. Denver: Author.

Finn, C.E., Bierlein, L.A. & Manno, B.V. (1996, January). *Charter Schools in Action: A First Look*. Washington, D.C.: Hudson Institute, Educational Excellence Network.

Finn, C.E. & Ravitch, D. (1995, August). *Education Reform 1994-1995*. Indianapolis, IN: Hudson Institute.

Great Lakes Area Regional Resource Center. (1995, October). *Information on charter schools*.

Great Lakes Area Regional Resource Center. (1995, November). *Overview of U.S. states with school choice. Columbus, OH: Ohio State University*.

Harp, L. (1995, November 29). American visionaries. *Education Week*.

Hudson Institute (1994). *Looking Back, Thinking Ahead: American School Reform 1993-1995*. Indianapolis, IN: Author.

Lindsay, D. (1995, November 29). Laws of the land. *Education Week*.

Mauhs-Pugh, T. et al. (1995). Charter school resources. *Education Policy Analysis Archives, 3*(13). Available via WWW: (http://seamonkey.ed.asu.edu/eppa/).

National Center on Education Statistics. (1995, June). *Educational policy issues: Use of school choice*.

National Conference of State Legislatures. (1995). *Charter school information packet*. Denver, CO: Author.

National Education Association. (1993, June). *Are charter schools better?* Issue brief. Washington, D.C.: Author.

National Governors Association. (1993, April 16). *Strategic investment: Tough choices for America's future. Charter schools*. In Brief. Washington, D.C.: Author.

North Central Regional Educational Lab, Oak Brook,IL. (1994). *Charter Schools Update. Policy Briefs. Report 2*. Sponsored by Office of Educational Research and Improvement, Washington, D.C. (ERIC Document Reproduction Service No. ED 370 227).

Pittillo, R.A. (1995). Privatizing schooling for handicapped and Chapter I children. *Education and Urban Society, 27*, 206-212.

Prichard, Kim M. (1995). *Charter schools legislation and major issues*. Robert M. La Follette Institute of Public Affairs.

Raywid, M.A. (1989). *The case for public schools of choice*. Phi Delta Kappa Fastback No. 283.

Reason Foundation. (1995). *Privatization 1995: Contracting*.

Rouse, M., McLaughlin, M.J., Rhim, L.M. & Danielson, L. (1996, April). *A comparative analysis of the educational reforms in England and Wales and the United States*. Paper presented at the Annual Meeting of the American Educational Research Association, New York, NY.

Saks, J.B. (1995, February). Scrutinizing Edison. *American School BoardJournal*, 21-25.

Sanchez, R. (1995, December 5). Embracing new schools of thought. *Washington Post*.

U.S. Department of Education (1995). *Seventeenth annual report to Congress on the implementation of the Individuals with Disabilities Education Act*. Washington, D.C.: Author.

U. S. General Accounting Office (1995, January). *Charter schools: New models for public schools provides opportunities and challenges*. Washington, D.C.: Author.

Viadero, D. (1995, November 8). A school of choice. *Education Week*.

Wallis, C. (1994, October 31). A class of their own. *Time*.

Walsh, Mark. (1995, May 10). 12 states join move to pass charter laws: 20 more considering legislation this year, *Education Week*.

Walsh, M. (1995, November 29). Declarations of independence. *Education Week*.

Watkins, T. (1995, September 6). So you what to start a charter school? *Education Week*.

BEST COPY AVAILABLE

Wohlstetter, P. and Anderson, L. (1994, February). What can U.S. charter schools learn from England's grant-maintained schools. *Phi Delta Kappan, 75*, 486-491.

State Specific References

Colorado Department of Education, Denver. (1993). *Charter schools. The Colorado Charter Schools Act of 1993: Information packet*. Colorado Department of Education. (ERIC Document Reproduction Service No. ED 371 450).

Colorado Department of Education, Denver. (1995). *Charter schools: Information packet*. Denver, Colorado.

Contreras, A.R. (1995). The charter school movement in California and elsewhere. *Education and Urban Society, 27*, 213-228.

Dianda, M. R. & Corwin, R. G. (1993, April). *An early look at charter schools in California*. Los Almitos, CA: Southwest Regional Lab. (ERIC Document Reproduction Service No. ED 357 484).

Fitzgerald, Joy (1995). *Charter schools in Colorado*. Denver, Colorado:Colorado Children's Campaign.

Grutzik, C., Bermal, D., Hirshberg, D., and Wells, A. Stuart (1995, April). *Resources and access in California charter schools: A preliminary overview*. Los Angeles: Graduate School of Education and Information Studies, University of California. (paper presented at the annual meeting of the American Educational Research Association, San Fransisco).

Milwaukee Parental Choice Program, 1991/92 - 1994/95 (1995). Data set and project overview. Available via WWW: (http://dpls.dacc.wisc.edu/choice/choice_index.html)

Raywid, Mary Anne. (1995). The struggle and joys of trailblazing: A tale of two charter schools. *Phi Delta Kappan, 76* (7), 555-560.

Urahn, S. & Stewart, D. (1994). *Minnesota charter schools: A research report*. House Research Department Minnesota Charter Schools.

The Center for Policy Research on the Impact of General and Special Education Reform

In October 1994, the U.S. Department of Education's Office of Special Education Programs (OSEP) established a Center for Policy Research on the Impact of General and Special Education Reform (the Center) to study the interaction between current general and special education policies and their impact on students with disabilities. The Center is a joint endeavor of the National Association of State Boards of Education (NASBE), the Institute for the Study of Exceptional Children and Youth at the University of Maryland (UM), and the Consortium for Policy Research in Education (CPRE) at the University of Pennsylvania, and is housed at NASBE.

Each Center partner is conducting interrelated three-year research studies that examine reforms in general and special education policies, their interactions, and their implications for students with disabilities. Areas being researched include standards and curriculum, assessment, accountability, teacher policy, finance, and governance, as well as state responses to federal programs such as Goals 2000 and the School-to-Work Opportunities Act. This issue brief uses data collected by the Center during its first year of research (1995) to 1) describe major trends in general education reform from a standards-based perspective across the 18 states in our study; 2) provide a preliminary assessment of the nature and involvement of special education in these reforms at the state level; and 3) discuss implications of these reforms for students with disabilities and related emerging issues.

The *Center for Policy Research on the Impact of General and Special Education Reform* (Center) is a national, three-year project initiated in October 1994 by the National Association of State Boards of Education (NASBE), the Institute for the Study of Exceptional Children and Youth at the University of Maryland (UM), and the Consortium for Policy Research in Education (CPRE) at the University of Pennsylvania. The Center is conducting research on general and special education reforms, their interaction and their implications for students with disabilities, and is developing options for policymakers at federal, state and local levels.

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The Center for Policy Research

1012 Cameron Street, Alexandria, Virginia 22314 703-684-4000 FAX 703-836-2313